

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

5-186US

09/856415

INTERNATIONAL APPLICATION NO.
PCT/US99/27401INTERNATIONAL FILING DATE
18 November 1999PRIORITY DATE CLAIMED
18 November 1998
30 November 1998

TITLE OF INVENTION

Methods for Preparing Coated Drug Particles and Pharmaceutical Formulations Thereof

JC19 Rec'd PCT/PTO 18 MAY 2001

APPLICANT(S) FOR DO/EO/US

TALTON, James D.; HOCHHAUS, Guenther; SINGH, Rajiv K.; FITZ-GERALD, James M.

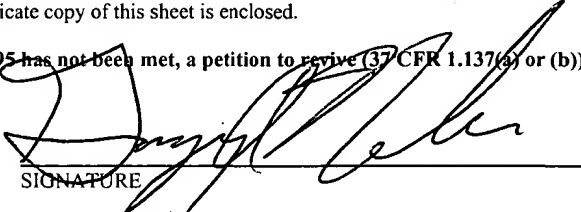
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. ☒ A copy of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Postcard receipts (2)

Express Mail Label:
EK575129662US

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) 09/856415		INTERNATIONAL APPLICATION NO. US99/27401		ATTORNEY'S DOCKET NUMBER 5853-186US	
17. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	43-20 =	23	X \$18.00	\$ 414.00	
Independent claims	2-3 =	0	X \$80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1274.00	
Reduction by 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$637.00	
SUBTOTAL =				\$637.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.429(f)).				+ \$	
TOTAL NATIONAL FEE =				\$637.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$	
TOTAL FEES ENCLOSED =				\$637.00	
				Amount to be: refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>637.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0951</u> in the amount of \$ <u>.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0951</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Akerman, Senterfitt & Eidson, P.A. Post Office Box 3188 West Palm Beach, FL 33402-3188				SIGNATURE  NAME <u>Gregory A. Nelson</u> 30,577 REGISTRATION NUMBER	

09/ 856415

JC03 Rec'd PCT/FTC 18 MAY 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: TALTON, *et al.*

Application No.:

Examiner:

Filing Date:

Group Art Unit:

For: METHODS FOR PREPARING COATED DRUG PARTICLES AND
PHARMACEUTICAL FORMULATIONS THEREOF

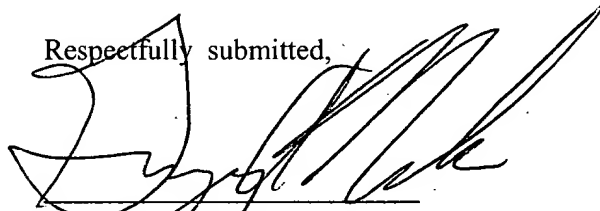
Box Patent Application
Washington DC 20231

Please find attached a copy of the annexes to the International Preliminary Examination Report
under PCT Article 36.

Date:

5/14/01

Respectfully submitted,



Gregory A. Nelson

Registration No. 30,577

Neil R. Jetter

Registration No. 46,803

AKERMAN SENTERFITT & EIDSON, P.A.

222 Lakeview Avenue, Suite 400

West Palm Beach, FL 33402-3188

Tel: (561) 653-5000

Docket No: 5853-186US